

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MATTHEW A. LUKE,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of  
the Social Security Administration,

Defendant.

CASE NO. 12-cv-05097 JRC

ORDER GRANTING STIPULATED  
MOTION FOR REMAND  
PURSUANT TO SENTENCE FOUR  
OF 42 U.S.C. § 405(G)

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local Magistrate Judge Rule MJR 13. (See also Notice of Initial Assignment to a U.S. Magistrate Judge and Consent Form, ECF No. 5; Consent to Proceed Before a United States Magistrate Judge, ECF No. 7.) This matter is before the Court on defendant's stipulated motion to remand the matter to the Commissioner for further consideration. (ECF No. 19.)

After reviewing defendant's stipulated motion and the relevant record, the Court grants defendant's motion, and reverses and remands this matter to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g).

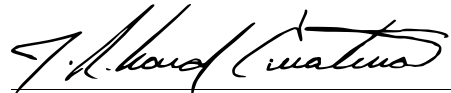
1 The Appeals Council will remand the case to an Administrative Law Judge (ALJ) for  
2 reconstruction of the administrative record, a *de novo* hearing, and a new ALJ decision.  
3 Plaintiff also may present new arguments and further medical evidence, as relevant, if such  
4 evidence becomes available.

5 Following proper presentation, this Court will consider plaintiff's application for costs  
6 and attorney's fees pursuant to 28 U.S.C. § 2412(d).

7 Given the facts and the parties' stipulation, the Court hereby orders that the case be  
8 **REVERSED** and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

9 **JUDGMENT** is entered for **Plaintiff**, and this case is **closed**.

10 Dated this 20th day of August, 2012.

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12 J. Richard Creatura  
13 United States Magistrate Judge  
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